IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

OP.No. 21408 of 1997(W)

PETITIONER:

UNIVERSITY ENGINEER,
UNIVERSITY OF CALICUT,
CALICUT UNIVERSITY P.O.,
MALAPPURAM.

BY ADV. SRI.P.C.SASIDHARAN

RESPONDENTS:
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1. **KERALA STATE ELECTRICITY BOARD,**
   REP. BY ITS SECRETARY, VAYDHUTHI BHAVAN,
   TRIVANDRUM.

2. **THE EXE. ENGINEER,**
   ELECTRICAL DIVISION, TIRUR.

3. **ASST. EXECUTIVE ENGINEER,**
   ELECTRICAL MAJOR SECTION,
   THIRURANGADI.

BY ADV. SRI. C.K.KARUNAKARAN - SC, KSEB

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 02/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP NO. 38473/1997 IN OP NO. 21408/1997 W.

DISMISSED

02/07/2007. SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ELECTRICITY BILL, DT. 1/4/97.

EXT.P2. COPY OF THE ELECTRICITY BILL, DT.1/4/97.

EXT.P3. COPY OF THE LETTER TO THE ASST. EXE. ENGINEER THIRURANGADI DT. 3/4/97.

EXT.P4. COPY OF THE LETTER TO THE SECRETARY KSEB TRIVANDRUM DT. 26/4/97 NO. GBI/COMPLIANTS/96/298.

EXT.P5. COPY OF THE CIRCULAR NO. GBI/COMPLAINTS /97/1630 DT. 12/08/97.

EXT.P6. COPY OF THE NOTICE TO THE UNIVERSITY ENGINEER, NO. DBI/DC/94-95 DT. 22/11/97.

EXT.P7. COPY OF THE NOTICE ISSUED TO THE UNIVERSITY ENGINEER NO. DBI/DC/94-95 DT. 22/11/97.

RESPONDENT'S EXHIBITS : NIL

True copy

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Thottathil B. Radhakrishnan, J.

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O.P.No.21408 of 1997

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Dated this the 2nd day of July, 2007.

JUDGMENT

This writ petition is filed by an officer of the University of Calicut contending that the charges for supply of energy to the two pump houses of the University have to be on the basis of LT IV tariff, which is applicable for industrial purposes. However, the Board has adopted LT VI A tariff, which relates to connections given to educational institutions, libraries, reading rooms affiliated to Universities, Government or private hospitals etc. LT IV covers supply for non-agricultural purposes while LT VI A applies for different other purposes, including religious premises etc. The predominant utilities to be covered by LT VI A tariff are apparently not ones, which would take in the activities of a University as such, though libraries, reading rooms affiliated to Universities may fall within that tariff. The Universities could fall only against the tariff, which apply to Government buildings and if no separate tariff

is prescribed, it would fall under LT IV tariff.

2. In the result, Exts.P1, P2, P6 and P7 are quashed and it is declared that the pump houses with Consumer Nos.369 and 378 at Parakkadu river, belonging to the petitioner, fall within the category of LT IV. Consequential revisional tariff shall be raised by the respondents at the earliest.

Writ petition is allowed as above.

Thottathil B.Radhakrishnan,
Judge.

sl.

Thottathil B. Radhakrishnan, J.

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O.P.No.21408 of 1997

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JUDGMENT

Dated:2-7-2007